

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
 (Includes Reference to PCT International Applications)

ATTORNEY DOCKET NUMBER

5976-23CIP

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe that I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ARTIFICIAL FACET JOINT AND METHOD**

the specification of which (check only one item below):

☒ is attached hereto.

☐ was filed as U.S. Patent Application Serial Number \_\_\_\_\_  
on \_\_\_\_\_, as amended on \_ (if applicable).

☐ was filed as a PCT international application number \_\_\_\_\_ on  
\_\_\_\_\_, as amended on \_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or (f), or §365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the applications on which priority is claimed:

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed     | Certified Copy Attached?                                 |
|-------------------------------------|---------|----------------------------------|--------------------------|--|
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> YES <input type="checkbox"/> NO |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> YES <input type="checkbox"/> NO |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> YES <input type="checkbox"/> NO |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> YES <input type="checkbox"/> NO |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

|   |                         |                                   |   |  |  |
|---|-------------------------|-----------------------------------|---|--|--|
| <b>COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY</b><br><small>(Includes Reference to PCT International Applications)</small>   |                         |                                   |   | <b>ATTORNEY DOCKET NUMBER</b><br><br><b>5976-23CIP</b> |  |
| I hereby claim the benefit under 35 U.S.C. Sections 120 or 119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: |                         |                                   |   |  |  |
| <b>PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:</b>   |                         |                                   |   |  |  |
| U.S. APPLICATIONS   |                         |                                   |   | STATUS (Check One)                                     |  |
| U.S. APPLICATION NUMBER   | U.S. FILING DATE        | PATENTED                          | ABANDONED   | PENDING  |  |
| 10/704,868  | November 10, 2003       |                                   |   | √  |  |
|   |                         |                                   |   |  |  |
|   |                         |                                   |   |  |  |
| PCT APPLICATIONS DESIGNATING THE U.S.   |                         |                                   |   |  |  |
| PCT APPLICATION NUMBER  | PCT FILING DATE         | U.S. SERIAL NUMBERS               |   |  |  |
|   |                         |                                   |   |  |  |
|   |                         |                                   |   |  |  |
|   |                         |                                   |   |  |  |
| <b>POWER OF ATTORNEY:</b> As a named inventor, I hereby appoint registered patent practitioners associated with Customer Number 30448 to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith.  |                         |                                   |   |  |  |
| Send Correspondence to: <b>*Customer Number 30448*</b><br><br>Akerman Senterfitt<br>P. O. Box 3188<br>West Palm Beach, FL 33402-3188  |                         |                                   | Direct Telephone Calls to: <b>Gregory A. Nelson</b><br><br>(561) 653-5000 |  |  |
| 201   | FULL NAME OF INVENTOR   | FAMILY NAME<br>SIMONSON           | FIRST GIVEN NAME<br>PETER   | SECOND GIVEN NAME<br>M.                                |  |
|   | RESIDENCE & CITIZENSHIP | CITY<br>MIAMI BEACH               | STATE OR COUNTRY<br>FL  | COUNTRY OF CITIZENSHIP<br>US                           |  |
|   | MAILING ADDRESS         | MAILING ADDRESS<br>85 PALM AVENUE | CITY<br>MIAMI BEACH   | STATE & ZIP CODE/COUNTRY<br>FL, 33139, US              |  |
| 202   | FULL NAME OF INVENTOR   | FAMILY NAME                       | FIRST GIVEN NAME  | SECOND GIVEN NAME                                      |  |
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|   | MAILING ADDRESS         | MAILING ADDRESS                   | CITY  | STATE & ZIP CODE/COUNTRY                               |  |
| 203   | FULL NAME OF INVENTOR   | FAMILY NAME                       | FIRST GIVEN NAME  | SECOND GIVEN NAME                                      |  |
|   | RESIDENCE & CITIZENSHIP | CITY                              | STATE OR COUNTRY  | COUNTRY OF CITIZENSHIP                                 |  |
|   | MAILING ADDRESS         | MAILING ADDRESS                   | CITY  | STATE & ZIP CODE/COUNTRY                               |  |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.  |                         |                                   |   |  |  |
| SIGNATURE OF INVENTOR 201   |                         | SIGNATURE OF INVENTOR 202         |   | SIGNATURE OF INVENTOR 203                              |  |
| DATE  |                         | DATE                              |   | DATE   |  |